

MEMORANDUM FOR: Director of Information Services, DDA

FROM:

[Redacted]
Special Assistant to Inspector General

SUBJECT: Revision of E.O. 12065

REFERENCE: OIS 81-114/2, 5 March 1981

Attached, FYI, are comments on revising E.O. 12065 that I have recently sent to OGC.



Attachment:
As Stated

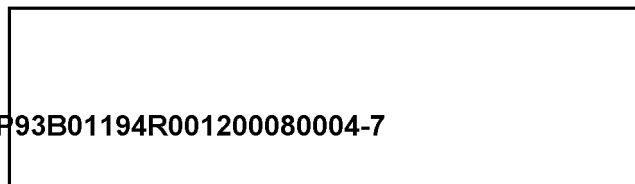
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MEMORANDUM FOR: [REDACTED]
Office of General Counsel

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FROM: [REDACTED]
Special Assistant to the Inspector General

SUBJECT: Revision of EO 12065

1. Given the premise that technical modifications to the existing EO 12065 is the appropriate and practical way to improve the security of national intelligence information, the proposals in your OGC 81-1319 for revision of EO 12065 appear to be on the right track. Certainly any relief from automatic declassification, mandatory declassification review, ISOO oversight, portion marking, or reproduction recordkeeping is welcome. As a specific addition to the points you address, the protection of information which is classifiable, but not so marked for operational reasons, should be considered.

2. Another premise should be considered. Given the present sentiment to "strengthen out intelligence capabilities," it is timely to consider more sweeping measures. No sovereign power should put itself in the position of publicizing its intelligence capabilities activities, sources, or methods. Even the appearance of rules and procedures which would actually or theoretically reveal intelligence secrets publicly, now or at some future date, weakens our ability to develop and maintain long-term human and technical sources. Closing these holes in our security would, along with FOIA and Privacy Act relief, work toward restoring our credibility as an intelligence agency and community and strengthen our capabilities. Therefore, we should consider total exemption from the administrative and oversight provisions of EO 12065 and rely on the statutory provisions of the National Security Act of 1947 which gives the DCI responsibility for protection of intelligence sources and methods from unauthorized disclosure. This proposition would use a revised EO 12065 as an explicit basis for the classification of information on intelligence activities, sources, and methods; reaffirm the DCI's statutory authorities and responsibilities in this area; charge him with the establishment and administration of standards, rules, and procedures on the protection of such information; and otherwise exempt this category of information and the DCI from the other provisions of EO 12065 or its revision. This approach could have the additional advantage of reducing or eliminating manpower devoted to administering a declassification program.

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3. Regardless of which is the soundest approach or the most practical way to proceed, we are faced with a substantially different situation than that which led to EO 12065. It would seem, therefore, appropriate to present major options--such as the two described above--to the Director, instead of a single option which may reflect attitudes and bureaucratic situations of yesterday.



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